

MINUTES

TOWN COUNCIL MEETING

TUESDAY, MARCH 28, 2006 AT 6:00 PM

RICHARD E. MASTRANGELO CHAMBER

ADMINISTRATION BUILDING

1. ROLL CALL: A regular meeting of the Town Council was called to order at 6:00 pm, in the Richard E. Mastrangelo Chamber, Administration Building. Present for the meeting were Councilors Stephen Corbett, Marilyn M. Petitto Devaney, John A. Donohue, Jonathan Hecht, Angeline B. Kounelis, John Lawn, Jr., Stephen E. Romanelli, Vice President Mark S. Sideris and Council President Clyde L. Younger.

The Chair requested a motion to go into executive session in order to discuss strategy with respect to non-union personnel. The Chair stated that the Town Council will return to open session following the adjournment of the executive session. Councilor Sideris made the motion, seconded by Councilor Hecht and adopted by unanimous roll call vote.

2. EXECUTIVE SESSION – 6:00 PM

3. RETURN TO OPEN SESSION – 7:15 PM

4. PLEDGE OF ALLEGIANCE

5. EXAMINATION OF MINUTES: February 28th and March 14th.

Councilor Devaney requested separate votes on each set of minutes.

Councilor Donohue moved the minutes of February 28th as amended, seconded by Councilor Romanelli and adopted by voice vote. Councilor Sideris moved the minutes of March 14th as written, seconded by Councilor Donohue and adopted by voice vote.

6. PUBLIC FORUM – none noted.

7. PUBLIC HEARINGS:

A. Public hearing and vote on a Proposed Loan Order authorizing the Town Treasurer, with the approval of the Town Manager to borrow and/or expend monies in the amount of \$643,000 under Chapter 44 of the General Laws or any other enabling authority for the purpose of constructing an addition to and remodeling, reconstructing and making extraordinary repairs to the Watertown Free Public Library, including the cost of original equipment and furnishings, landscaping, paving and other site improvements incidental thereto; that this appropriation shall be used for said project, together with the \$6,700,000 borrowing previously authorized, a state grant of \$2,972,408 and donations and pledges of \$1,000,000; and that the Board of Trustees of the Public Library are authorized to accept and expend any gifts or donations received in connection with the project, provided that the amount of the additional borrowing authorized under this order shall be reduced by the amount of any additional gifts and donations (in excess of \$1,000,000 received or pledged to date received prior to the issuance of bonds under this order; and that the Board of Trustees of the Public Library are authorized to take any other action necessary to carry out the project.

The Chair recognized the Manager who provided an overview of the loan order in the amount of \$643,000.00. The Manager elaborated on the projected financing and short term borrowing.

The Chair recognized Library Director, Leone Cole who stated that the library project is on target for a June 30th completion date and on budget. A grand opening is scheduled for August 6th. Ms. Cole noted that the new library building will be approximately 46,000 square feet encompassing two floors, with complete handicap accessibility. Ms. Cole also stated that the building will include a 200 person meeting room, café, book store and wireless access.

The Chair opened up the hearing to the public and recognized:

1. Curtis Whitney, Grandview Avenue – spoke in support of the efforts on fundraising and financing of a \$643,000 loan.

2. Dennis Duff, Spruce Street – spoke in support of the branch libraries.

There being no further comments, the hearing was closed.

Councilors Lawn and Sideris thanked Ms. Cole for the update.

Councilor Romanelli asked if staffing levels are adequate. Ms. Cole stated that with the closing of the branch libraries, yes, staffing will be adequate.

Councilor Hecht requested clarification of the loan amount.

Councilor Kounelis stated that she is sorry to see the branch closings and wanted the matter to be brought up more at the public level. She urged the Manager not to sell the buildings.

Councilor Devaney spoke in support of the branch libraries and noted that the elderly and children will be most affected and that it is a quality of life issue. She also stated that no public meetings were held for people to express their opinion of the closings.

Councilor Corbett commended the fund raising efforts and the project in general.

The Chair asked that dialogue continue with respect to the branch closings as there may be unforeseen consequences of such a move.

Councilor Lawn spoke in support of keeping the buildings for the community.

Councilor Donohue moved the loan order, seconded by Councilor Devaney and adopted by unanimous roll call vote.

Councilor Sideris moved to Suspend the Rules in order to bring forward agenda item 8A, seconded by Councilor Devaney and adopted by voice vote.

A. Presentation of Fiscal Year 2005 Audit Report – Scott McIntyre, Melanson & Heath, P.C.

A power-point presentation was provided by Mr. McIntyre of Melanson & Heath, P.C on the Annual Financial Statements for the year ending June 30, 2005 (attached). Mr. McIntyre also reviewed the Management Letter.

Councilor Devaney noted the recommendations were clear and concise, but that not all were followed.

Councilor Kounelis thanked Mr. McIntyre for presentation and asked if internal audits were being done. Mr. McIntyre noted that one department per quarter were being audited.

Councilor Donohue thanked Mr. McIntyre for the excellent presentation and credited staff for a good job.

Councilor Lawn noted that sidewalks need repair and that the Town should invest in that.

Councilor Devaney moved to Suspend the Rules in order to bring forward the President's Report, seconded by Councilor Sideris and adopted by voice vote.

PRESIDENT'S REPORT

The Chair read a statement announcing that the Town Council will not renew the Town Manager's contract but will continue to meet in executive session to consider strategy with respect to negotiations with non union personnel. The Chair added that no questions on the matter will be entertained at this time.

The Chair read a letter by Mr. Thomas V.Thibaut, Jr., Chairman of the Watertown Contributory Retirement Board in which Mr. Thibaut indicates that he will be making a presentation before the Town Council on April 11th.

The Chair read a letter by Ms. Arlene Smith of Family Network noting that a sign thanking the Town Council for non-profit funds were hung during a recent gathering.

Councilor Sideris moved to bring forward agenda item 9A, seconded by Councilor Devaney and adopted by voice vote.

9A. Acceptance of Proclamation honoring the Keohane family – Councilor Stephen Corbett.

The Chair recognized Councilor Corbett who read a proclamation honoring the Keohane family and recognizing their upcoming family reunion. Ms. Patricia Schiavonni received the proclamation for the family and thanked the Council for the honor.

Councilor Sideris moved to accept the proclamation, seconded by Councilor Devaney and adopted by voice vote.

B. Public hearing and vote on proposed amendments to the zoning ordinance. The Chair recognized Mr. Gregory Watson, Planning Director who noted that the Planning Board unanimously approved the proposed amendments to the zoning ordinance before the Town Council tonight.

The Chair recognized Mr. John Connery who provided an overview of the I-3 district and mix uses. He also discussed off street parking spaces for mix uses only and the current disconnect between studio parking and multi-bedroom single family home parking requirements.

The Chair opened up the hearing to the public and recognized:

1. Curtis Whitney, Grandview Avenue – spoke in support of the changes of mix uses to the industrial zone noting their importance to the future of the community.

2. Dennis Duff, Spruce Street – stated that the Planning Board asked for comments, and very few were used. He stated that impervious spaces, i.e., driveways, patios, etc, should be counted in the coverage. He noted that Watertown is the 3rd most densely populated city in the U.S. and urged the Council not to change the zoning near public transportation.

There being no further comments, the hearing was closed.

Councilor Kounenlis echoed the comments of Mr. Duff, referring to the changes to section 6.01 and further stated that parking for two family properties not adequate.

Councilor Corbett spoke in support of the changes as presented and stated that the new concept for impervious spaces is a good step. He further spoke in support of tightening up the residential areas and relaxing some of the industrial areas makes sense.

Councilor Sideris spoke in concern with reducing the parking spaces. He noted that the language in the proposed ordinance is not clear that it is only for mix use and not in the commercial area.

Councilor Donohue suggested that the Planning Board clarify that section.

Councilor Sideris concurred and moved to withdraw that section from the ordinance for further clarification.

Councilor Donohue stated that the proposed changes are trying to conserve commercial property in order to help the commercial tax base thereby increasing the flow of monies to the town.

Councilor Sideris moved to adopt the ordinance without section 6.01, seconded by Councilor Devaney and adopted by unanimous roll call vote.

8. PRESENTATIONS AND REPORTS BY TOWN OFFICIALS AND EMPLOYEES:

B. Information update on the 2006 Ad Hoc Charitable Committee. The Chair recognized Councilor Sideris who provided an update on the 2006 charitable applications. He noted that the committee received 38 applicants with 2 after the deadline. It was also noted that although the committee is slightly behind schedule, that they are moving the process along.

Councilor Donohue moved to Suspend the Rules in order to take up the remaining agenda items after the 10:30 pm deadline, seconded by Councilor Sideris and adopted by voice vote.

There was a brief discussion on adding a second member of the public to the committee. Councilor Sideris moved the matter, seconded by Councilor Romanelli.

Councilor Lawn spoke against the second member being added and requested that the former resolution be honored.

The Chair stated that the resolution was adopted by a former council and that this council is not bound by it.

Attorney Reich stated that this council has the discretion at any time to amend the former resolution by a vote of the council.

Councilor Hecht spoke in support of reconsidering the make up of the committee, top to bottom – stating that the Council should not be mixing charity with politics. He spoke in support of moving ahead as is and taking up the issue as a whole next year.

The motion to add a second member of the public to the charitable committee was adopted by a roll call vote of 5-4.

9. MOTIONS, ORDERS AND RESOLUTIONS:

B. Resolution authorizing a Public Health Mutual Aid Agreement with other Cities and Towns in the Massachusetts Emergency Preparedness Region 4B in accordance with G.L. c. 40, 40A.

The Chair recognized Mr. Steve Ward, Health Director who elaborated on and spoke in support of the resolution regarding a public health mutual aid agreement with other cities and towns.

Councilor Hecht noted that Kopelman and Paige has included a memorandum noting concerns with the language of the resolution with respect to liability issues with sending personnel into other communities.

Councilor Devaney noted that Scituate has recently adopted this resolution and asked who the attorney for that particular town was.

Mr. Ward noted that the law firm of Kopelman and Paige represents Scituate.

Attorney Reich stated that changes have been proposed, but that they have to be adopted by all cities and towns that sign on to this mutual aid agreement.

The Manager noted that the concept of providing mutual aid is good, but there are some issues that need further dialogue.

Councilor Devaney expressed her support for the resolution as written and noted that changes to the wording of the resolution would have to be accepted by all communities. She stated that we all have the same legal firm and it was recently accepted in the Town of Scituate.

Councilor Donohue stated that the risk is the same for all communities involved and that mutual aid is very important.

Councilor Sideris moved to accept the resolution subject to the Town Manager and Town Attorney hashing out appropriate language which is to be brought back to the Council for review, seconded by Councilor Lawn and adopted by roll call vote of 5-3-0.

Councilor Sideris moved to Suspend the Rules in order to take up a late agenda item, seconded by Councilor Lawn and adopted by voice vote.

The Chair recognized the Manager who provided a brief overview of a transfer of \$30,000 to the Fire Department Indemnification Account.

Councilor Devaney moved the matter, seconded by Sideris and adopted by unanimous roll call vote.

10. 11. COMMUNICATIONS FROM THE TOWN MANAGER

There was a brief discussion on the Town Manager's request for policy guidance related to Board and Commission appointments.

Councilor Sideris suggested that the Manager bring forward the best candidates.

Councilor Donohue concurred with Councilor Sideris.

Councilor Corbett stated that no one is indispensable and that new blood should be filtered in gradually and judiciously.

The Chair indicated that value to the organization has to be looked at and not politics.

12. REQUEST FOR INFORMATION – none noted

13. ANNOUNCEMENTS

April 5th at the Watertown High School a town meeting will be held on the dangers of underage drinking.

14. PUBLIC FORUM – none.

15. ADJOURNMENT

There being no further business to come before the Town Council, Councilor Sideris moved to adjourn the meeting at 11:45 pm, seconded by Councilor Hecht and adopted by voice vote.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted as amended on April 11, 2006.

Clyde L. Younger, Council President